

**FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
BECKLEY DIVISION**

BMS CAT, INC.,

Plaintiff,

v.

Civil Action No. 5:16-cv-11955

GREENBRIER HOTEL CORPORATION, *et al*,

Defendants.

**COMBINED REPORT TO THE COURT
ON BEHALF OF PLAINTIFF BMS CAT, INC. AND
DEFENDANTS GREENBRIER HOTEL CORPORATION, JAMES C. JUSTICE
COMPANIES, INC. AND JUSTICE FAMILY GROUP, LLC,
IN ACCORDANCE WITH THIS COURT'S ORDER (DOC. 66)
AND
MOTION FOR ENTRY OF CONSENT JUDGMENT**

Come now Plaintiff BMS CAT, Inc., by its undersigned counsel, and Defendants Greenbrier Hotel Corporation, James C. Justice Companies, Inc. and Justice Family Group, LLC (“the Justice Defendants”), by their undersigned counsel, pursuant to this Court’s Order entered on August 3, 3017 (Doc. 66), denying the parties’ *Joint Motion to Stay* (Doc. 63) and directing Plaintiff and the Justice Defendants to report whether they intend to proceed with this litigation or their settlement absent a stay.¹ In light of this Court’s denial of the stay, the Justice Defendants have agreed to entry of a consent judgment.

Accordingly, Plaintiff and the Justice Defendants jointly tender herewith a proposed Consent Judgment against the Justice Defendants and jointly move for its entry.

¹ The remaining Defendants in this Action are banks and other lending institutions, as well as Trustees, allegedly possessing secured interests in assets of the Justice Defendants located in Greenbrier County, West Virginia. They are named only as interested parties in accordance with West Virginia law.

Respectfully submitted:

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James C. Justice Companies, Inc. and Justice Family Group, LLC

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
BECKLEY DIVISION**

BMS CAT, INC.,

Plaintiff,

v.

Civil Action No. 5:16-cv-11955

GREENBRIER HOTEL CORPORATION, *et al*,

Defendants.

CERTIFICATE OF SERVICE

I, the undersigned counsel for Plaintiff BMS CAT, Inc., do hereby certify that I electronically filed the foregoing *COMBINED REPORT TO THE COURT ON BEHALF OF PLAINTIFF BMS CAT, INC. AND DEFENDANTS GREENBRIER HOTEL CORPORATION, JAMES C. JUSTICE COMPANIES, INC. AND JUSTICE FAMILY GROUP, LLC, INACCORDANCE WITH THIS COURT'S ORDER (DOC. 66) AND MOTION FOR ENTRY OF CONSENT JUDGMENT*, and attached *Proposed CONSENT JUDGMENT* with the Court using the CM/ECF system on this 7th day of August, 2017, and with the intent of achieving electronic service upon:

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